

VZCZCXRO3852

OO RUEHDBU RUEHFL RUEHKW RUEHLA RUEHNP RUEHROV RUEHSL RUEHSR  
DE RUEHSM #0449/01 2031657  
ZNY CCCCC ZZH  
O 221657Z JUL 09  
FM AMEMBASSY STOCKHOLM  
TO RUEHLO/AMEMBASSY LONDON IMMEDIATE 0503  
RUEHC/SECSTATE WASHDC IMMEDIATE 4543  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 03 STOCKHOLM 000449

SIPDIS

LONDON PLEASE PASS TO DHS DEPSEC HOLL LUTE

E.O. 12958: DECL: 07/22/2019

TAGS: PTER PHUM PREL EUN SW  
SUBJECT: SCENESETTER FOR DHS DEPUTY SECRETARY HOLL LUTE'S  
VISIT TO STOCKHOLM JULY 24-25

Classified By: CDA Robert Silverman for reasons 1.4 (B) & (D).

Introduction & Summary

---

¶1. (U) Embassy Stockholm warmly welcomes you to Sweden. Bilateral relations are close and collaborative, and you will find good partners in Minister for Justice Beatrice Ask, Minister for Asylum and Migration Tobias Billstrom, and Minister of Defense Sten Tolgfors. Sweden's EU Presidency priority in the area of Justice and Home Affairs (JHA) is the Stockholm Program -- a five-year work plan that will replace the current Hague Program and will focus on the rights of the individual while safeguarding EU security. The Swedes are especially eager to "rationalize" the EU's ad hoc information management systems and harmonize EU asylum policies so that all EU Member States do their fair share in resettling refugees.

¶2. (C) Sweden hosted a successful U.S.-EU Senior Level Group meeting on JHA issues July 9-10, which some of your staff attended. These meetings further cemented the excellent, transparent dialogue we have with the Swedes on JHA issues, including combating transnational crime, cybercrime, and terrorism. There is one area where more cooperation would be welcome: while Sweden has one of the most generous asylum and refugee policies in the world, our bilateral discussions on Guantanamo detainees have been frustrating. We hope your visit, and your meetings with three key Cabinet leaders, will help generate the political will necessary for Sweden to resettle Guantanamo detainees. The Swedes want to have concrete deliverables for the October 27-28 U.S.-EU JHA Troika Ministerial and the U.S.-EU Summit in November. A focus during your meetings on Guantanamo detainees, trafficking in persons, and data sharing and privacy would help lay the groundwork for success. End Introduction and Summary.

Guantanamo Detainees

---

¶3. (C) Since 2004, the U.S. has requested Swedish assistance with Guantanamo detainees multiple times, and we have made four requests for the resettlement of specific detainees. Each time, the Swedes denied the requests on procedural grounds: under Swedish law, referrals cannot come from a foreign government, but must come either through UNHCR or through Swedish embassies abroad. In general, when Guantanamo is raised, Swedish officials like to say that according to the Constitution, only the Swedish Migration Board (SMB) -- an independent government agency -- can make decisions on resettlement. Government ministers may not interfere in the SMB's decision-making process with respect to an individual application. However, we assess that if the Government decides at the political level to assist on Guantanamo closure, then it can direct the SMB to include Guantanamo detainees, as a group, among the classes of

persons to be considered for resettlement. The Government could also indicate informally to the Ministry of Foreign Affairs and its embassies overseas its support for their referral of individual cases to the SMB for adjudication. In other words, if there is political will, then a complicated (and uncertain) process could begin. The urgent need now is to generate the political will.

¶4. (C) We would recommend that in all three of your meetings you consider raising these points:

-- Thank the Swedish Government for its support of the June 15 "U.S.-EU Joint Statement on the Closure of the Guantanamo Bay Detention Facility," which was endorsed by the June 18-19 European Council;

-- Note that the U.S. understands and respects the procedures the Swedish Migration Board must follow;

-- Urge the Government of Sweden to take steps necessary to prepare the way for a formal application to the Swedish Migration Board;

-- Highlight the enormously positive impact on bilateral relations that would result from a Swedish decision to accept Guantanamo detainees for resettlement;

-- Sweden's role as EU President means that its leadership is more important than ever.

#### Data Sharing/Privacy

---

STOCKHOLM 00000449 002 OF 003

¶5. (U) The Swedish Government has noted its appreciation for DHS Chief Privacy Officer Callahan's visits here and it wants to host a seminar in early October for U.S. and EU representatives on the redress opportunities available under U.S. law. The USG has suggested that the meeting include law enforcement practitioners, as well as data privacy specialists. Both sides hope this seminar would pave the way for the completion of the High Level Contact Group's principles in time for the October JHA Troika Ministerial. The Swedes are actively seeking deliverables for their EU Presidency and have demonstrated that they want a win-win outcome with us on this issue. Minister Ask will be most engaged on these issues.

#### Trafficking in Persons (TIP)

---

¶6. (U) Minister Ask declared TIP as a main priority for the Ministry of Justice during the Swedish EU Presidency and she has been quite vocal on the issue. In November 2008, she visited Russia in an effort to increase cooperation with third countries. TIP was a big topic of discussion at the informal JHA Ministerial in Stockholm 16-17 July. A ministerial TIP conference will be held in Brussels 19-20 October, and the Swedes are seeking active USG participation there. That meeting will address the increased cooperation within the EU and with third countries; participants will likely include international organizations, EU members and institutions, and other key players, including Russia, the Western Balkans, and Canada. If you indicate USG interest in participation in the conference, Ask will be delighted.

¶7. (U) As for Sweden itself, it is on Tier 1 in the Department of State's annual Trafficking in Persons Report. Sweden fully complies with the minimum standards for the elimination of trafficking. In 2008, the government allocated USD 26 million to implement a two-year comprehensive anti-trafficking action plan in Sweden and select source countries. The action plan includes measures to prevent sex trafficking, improve the victim assistance and victim repatriation system, train law enforcement officials,

and improve screening of potential victims during the visa application process.

**¶18.** (U) Migration Minister Billstrom has also voiced concern on TIP issues, especially on the trafficking of unaccompanied minors. Sweden's laws prevent the return of minors to countries of origin unless it is demonstrated that the minor will be cared for by family members at home. There are cases of minors not returning to their country of origin and instead being raised in foster care in Sweden.

#### Migration and Asylum

---

**¶19.** (U) Sweden will accept 1,900 UNHCR quota refugees this year, making it one of the most generous EU Member States in terms of refugee resettlement. In 2007, Sweden accepted 18,600 Iraqi asylum seekers, more than all EU members and the U.S. combined. But the high influx of asylum seekers and refugees is increasingly straining budgets and social services in immigrant-dense municipalities. Billstrom is unhappy that other EU Member States are not doing their share, and in some cases are knowingly permitting asylum seekers from North Africa and the Middle East to pass quietly through their ports en route to Sweden. Accordingly, he is a leading advocate for developing a Common European System for Asylum, which he hopes will distribute refugees more equally among EU Member States.

#### Transatlantic Declaration

---

**¶10.** (U) At the U.S.-EU JHA Ministerial Troika in April, Attorney General Eric Holder and Minister Ask agreed to explore the added value of adopting a "Transatlantic Declaration." At the informal JHA meeting in July, significant time was spent on discussing the content of the declaration, which aims to enhance cooperation in JHA. The declaration is intended to be adopted this October at the JHA Troika Ministerial, just before the U.S.-EU Summit likely in early November. The EU Commission is responsible for drafting the text, but topics will likely include: MLAT, visa waiver program, High Level Contact Group's progress on a data protection agreement, counter-terrorism, Guantanamo update, TIP, the Stockholm Program, cybercrime, corruption and Spain's goals for its 2010 presidency.

STOCKHOLM 00000449 003 OF 003

#### Conclusion

---

**¶11.** (U) You are the highest level USG official to travel to Sweden since President Obama took office. Your interlocutors will listen closely to what you have to say about the new Administration's priorities. Therefore, your visit offers the opportunity to deepen significantly U.S.-Swedish relations on key JHA matters -- and to encourage the Swedes to do more in leading the EU to help meet the President's goal of closing the Guantanamo Bay detention facility within the next half year.

SILVERMAN